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December 23, 2014

VIA ELECTRONIC SUBMISSION

D C Zoning Commission
441 4th Street, N W , Suite 210
Washington, DC 20001

Re: **Z.C. Case No. 10-28 - Applicant's Request for Further Zoning Commission Hearing in Response to DC Court of Appeals Opinion**

Dear Members of the Commission

On behalf of 901 Monroe Street, LLC, as Applicant in Zoning Commission Case No. 10-28, we hereby request that the Zoning Commission schedule a public hearing to address the issues raised by the District of Columbia Court of Appeals (the "Court") in the Court's decision regarding this case. Specifically, by decision dated September 11, 2014, the Court vacated Zoning Commission Order No. 10-28(1) and remanded the case back to the Zoning Commission to take the following actions:

1. Address whether the project should properly be characterized as a moderate-density use or a medium-density use
2. Address more fully the Upper Northeast Area Element policy that special care should be taken to protect the houses along 10th Street.
3. Determine whether, in light of the Zoning Commission's conclusions on these issues, the Zoning Commission should grant or deny approval of the project
4. Explain the Zoning Commission's reasoning in granting or denying approval

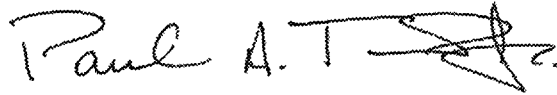
Guy Durant v D C Zoning Commission, 99 A 2d 253, 262 (D C. September 11, 2014) ("*Durant II*")

While the Applicant believes that the record in this case is complete and that it fully supports the Zoning Commission's decision in Order No. 10-28(1), the Applicant believes that

conducting an additional public hearing in this case will provide an appropriate opportunity for the parties to submit additional testimony and evidence addressing the Court's decision in *Durant II* and will assist the Zoning Commission in its further review of this application.

Thank you for your consideration of this request

Sincerely,

A handwritten signature in black ink that reads "Paul A. Tummonds, Jr." with a stylized flourish at the end.

Paul A Tummonds, Jr.


CERTIFICATE OF SERVICE

I hereby certify that on December 23, 2014, copies of the attached document were delivered via email to the following:

ANC 5B
5B@anc.dc.gov

"200 Footers"
c/o Barbara Kahlow
Barbara.Kahlow@verizon.net

Brookland Neighborhood Civic Association
c/o Tom Bridge
tbridge@welovedc.com


Paul Tummonds